



**Town of Arlington, Massachusetts**  
**730 Massachusetts Ave., Arlington, MA 02476**  
**Phone: 781-316-3000**

**webmaster@town.arlington.ma.us**

## **Historic Districts Commission Minutes 07/22/2004**

### **Historic Districts Commission**

7:20pm Meeting called to order by S. Makowka

**Commissioners Present: S. Makowka, M. Penzenik, M. Hope Berkowitz, A. Alberg, L. Kuhn, Y. Logan, B. Cohen**

**Commissioners Not Present: M. Logan, M. Potter, J. Worden**

**Guests Present: Doris Powell, Molly Tee, Atty. Mary Winstanley O'Connor, Michael Hart, Louise Ivers, Bob Pajoulu, Alexis Hart, Mary Hart, Joseph Hart, Patricia Seitz, Mark Tanner**

Appointment of Commissioners – S. Makowka to Pleasant, Jason, & Mt Gilboa, B. Cohen to Mt. Gilboa, Jason, & Russell

Review and approval of June 2004 Minutes – A. Alberg motioned approval, seconded by M. Penzenik, approved unanimously.

### **COMMUNICATIONS**

1. 6:50PM - Mr. Noonan called Ms. Greeley to advise that his attorney was ill and they would not be attending the meeting tonight. She advised him that we would contact him on 7/23 with arrangements for either 8/12 or next regularly scheduled hearing in August.
2. S. Makowka told about phone conversation with Mr. Smith @ 24 Jason Street – replacing shingles, frustrated in contacting right people (us), finally came to S. Makowka. S. Makowka took care of him and gave certificate of Non-applicability. On additional note, S. Makowka spoke with Building Inspector and reminded him Ms. Greeley was appropriate AHDC contact. Ms. Greeley will drop off blank applications, copies of guidelines & business card contact at Bldg. Department.
3. S. Makowka reported that thanks to Ms. Galkowski's efforts, we are now up and running on Town's Web Page. Minutes, Agendas, Guidelines & Applications are now available online at [http://www.town.arlington.ma.us/Public\\_Documents/ArlingtonMA\\_BComm/histdistcom](http://www.town.arlington.ma.us/Public_Documents/ArlingtonMA_BComm/histdistcom)
4. New Homeowner letters – Ms. Greeley is finalizing with S. Makowka letters and will check on mailing options for least expensive way to distribute to all District homeowners.
5. S. Makowka received call asked questions about owners of 239 Pleasant Street cutting down all mature plantings in front of house – S. Makowka informed caller that landscaping was not under Commission jurisdiction. The commissioners discussed this property and the fact that a length of chain link fence has appeared near existing pool. Comm. Kuhn to visit site to make sure they are not doing work that requires a permit from Commission  
  
Ms. Greeley also advised that the owner of 239 Pleasant Street has filed an application for re-roofing and re-siding and plans to be will be before Commission on 8/12.
6. L. Kuhn – asked if R. Duffy called, S. Makowka said no. L. Kuhn said Mr. Duffy is seriously interested in joining Commissions.

**Commissioner B. Cohen arrives at 7:45pm**

7. S. Makowka told Commissioners he received a call from Mr. Mackey's Attorney's secretary regarding appearing before the Commission. S. Makowka informed her that the Commission had expected Mr. Mackey for an informal at the June meeting, but that the Commission would reschedule an informal hearing at a future meeting. Mr. Mackey or representative should contact the Commission ASAP when they are ready to make a presentation so that he can be added to the agenda for a future meeting.

8. S. Makowka informed Commission that he had received Application for Certif. of Non-Applicability at 184 Pleasant Street (house looking to rebuild garage in rear yard), which he rejected on the finding that the garage is subject to public view. Ms. Greeley advised that the new owners of this property would be before Commission on 8/12 seeking a Certif. of Appropriateness.

Ms. Greeley reported on correspondence received:

9. 184 Pleasant Street (Faigel) Application
10. 239 Pleasant Street (Galal) Application
11. 159 Pleasant Street (Krepelka) Application
12. 24 Jason Street (Smith & Toner) – Certif. Non-applicability Issued (04-11J)
13. Letters in support of 156 Pleasant Street from 158 & 164 Pleasant Street

#### **OTHER BUSINESS**

1. Revisions to guidelines by J. Worden circulated with proposed new language. Everyone encouraged to look at these and be prepared to discuss at next meeting.
2. Town Day – Historic District Commission will have booth. Can continue partnership in manning Booth that day. We will put stickers on AHDC handouts with new contact information for that day (Town Day is 9/11/04) and get sign-up sheet for Commissioners to man booth that day.
3. M. Penzenik raised a question about Lot 47 Pleasant Street applicant's statement that he would be returning with attorney for the next hearing on that property. She queried whether there were any preparations that should be made in anticipation of that hearing. A. Alberg responded that we should not speculate about what may be presented. S. Makowka agreed and emphasized that the Commission should continue to administer the bylaw and to follow its own procedures. S. Makowka also reminded Commissioners to remember that the meetings were open to the public and that the meeting minutes are part of public record.

#### **8:00pm Continuation of Formal Hearing – 82 Westminster (Ivers)**

##### **Design specifications for door and window to be discussed**

**Using existing staircase – window and door will align, window will be new, and there is one in location now, floor 1 x 3 fir, little boards fir also**

Applicant presented new information for project including use of sliding door in place of French door discussed at last hearing. The sliding door would have mullions, specifications are: wood slide patio door Marvin Model 6/6068 w/mullions from J. C Adams.

Applicant said wood french doors with correct swing were very expensive. Also, the proposed deck is now proposed 12 feet deep, an increase from the 6 feet shown in the original plans, and also that the existing stairs at the side of the house would be retained as point of access to new rear porch. S. Makowka reminded Commission that rear elevation of this property, where this deck will be sited, is only marginally visible at a distance from Lowell Street and thus is not a visually prominent feature. M. Penzenik commented that the suggested door specifications seemed appropriate in this context, but that the mullions cannot be snap in – i.e., they must be permanently affixed to glass on exterior with spacer bar is inside between insulated glass. Also, door must be wood, not metal or vinyl clad. A. Alberg chided the applicant about her repeated changes to the proposal without providing full backup specifications and documentation to the Commission. S. Makowka asked about any changes to door shown below deck in the plans – applicant stated that the existing door would remain with no change. Also, applicant clarified that the side stairs will remain exactly like they are; the deck is the same height so there is no need to change. Commissioner suggested specifying 1 x 3 fir decking, with 2X2 (nominal) balusters spaced three inches on center, and no exposed pressure treated wood allowed. Also, railing in plan appears to be less than 42" that will likely be required by building inspector, applicant should clarify height requirement with building department.

S. Makowka suggested approval of application with selection of new door & window to be approved by the monitor prior to purchase and installation. Original monitor of other approved work at this site is M. Potter.

B. Cohen moved that the Mt. Gilboa/Crescent Hill Historic District Commission having fully reviewed the application before it, finds that the addition of a rear deck, sliding glass door, and new window on rear, if constructed according to the plans submitted as modified below, will be in harmony and not incongruous with the historical and architectural values of the district. The specific modifications to include 1) railing on deck 42 inches height, 2) there be no exposed pressure treated wood, 3) balusters to be 2" x

2" (nominal) with 3 inch on center spacing, 4) door to be simulated divided light wood (no cladding), 5) window to match door with top to align with new doorway (per revised plan). S. Makowka proposed amendment to require that 1) new window (which has not been specified yet) must be wood 2 over 2 to match existing window on 2<sup>nd</sup> floor, 2) door should have permanently applied exterior muntins, and 3) and both door & window shall be approved by monitor prior to installation (suggested Ms. Ivers get exact specifications to monitor and get approval prior to purchasing doors). Amended Motion seconded by A. Alberg. All voted in favor of amendment. Original motion as amended seconded by L. Kuhn and approved unanimously. M. Penzenik appointed new monitor on this project replacing M. Potter for all projects at 82 Westminster Avenue.

**8:20pm Continuation of Formal Hearing re: 33 Russell Street (Littlewood)  
Replacement of wooden steps with granite with unchanged wooden railings.**

The Commission considered the additional information provided by applicant showing existing conditions, plot plan, and representation of changes. M. Penzenik questioned whether all the granite block treads were of the same size and how they were steps were constructed? Applicant responded that each blocks front edge rests on top of rear edge of step below with space on sides filled with 6 inches wide granite smaller pieces --the drawing looks like one solid piece because the lines are too faint to distinguish filler blocks. S. Makowka questioned if width all same? Applicant stated that all are 6 feet long, except for bottom step at grade, which is 7 feet long. Applicant also clarified that the existing wooden railings will remain in place anchored to the granite steps.

A. Alberg moved that the Mt. Russell Historic District Commission having fully reviewed the application before it, finds that the project proposed, if constructed according to the plans submitted, will be in harmony and not incongruous with the historical and architectural values of the district. -- Motion seconded by B. Cohen. All voted in favor.

**8:30pm Continuation of Formal Hearing at 210 Pleasant Street (Hart)  
Application for construction of additional living space at the 1988 "Deck House" residence.**

The original proposal for an addition was discussed last month and the Commission raised concerns as well as suggested alterations. The Commission received an updated application from the applicant with new drawings and visual representations of the altered proposal. The Commission thanked the applicant for the thoroughness of their submission and supporting materials. As an aside, the Commissioners commented it would be helpful to get name of firm that provided the visual renderings of the proposed structure for possible use on other projects where additions or new construction is being considered. The applicant agreed to forward this information to the Commission.

The applicant provided 4 additional visual representations of the proposed changes. Now the addition would be horizontal, not vertical, with new garage built next to existing garage space. A representative from the Deck House Company (Molly Tee) was present to answer questions. M. Penzenik asked is there really stone anywhere? -- Answer, No, grass comes up to landscape retaining wall, which returns. Attorney Ms Winstanley O'Connor told the Commission that this new proposal should address concerns of Commission and all abutters present at last meeting. M. Penzenik questioned side view of new proposal concerning the view from Pleasant Street. Applicant responded that the garage wall is coplanar with the original and you can see a little edge of the bump out in the plan but from Pleasant Street you can't see this side. e. L. Kuhn questioned the two alternative window specifications provided (windows vs. no windows on garage wall), stating that he prefers no window in new garage façade -- will look cleaner, and will draw less attention. Applicant agreed with that perspective since elimination of window addresses security issues as well. L. Kuhn commented on great job on project

S. Makowka asked for clarification of location of side window. Applicant stated that it was the original window, just relocated due to the addition of the new 8-foot room -- same window to be reused. S. Makowka pointed out that the side visualizations provided did not accurately depict the 8-foot bump out at this location. The drawings provided however were correct. M. Penzenik questioned the proposed use standard windows on the facades of the side bumpout that faced the lake. She stated that the façade should look like it was built originally on house. Applicant, Dr. Hart, said they would be willing to modify the proposal to use original deckhouse windows that will look exactly like the existing windows on the house. Commissioners agreed that the addition should mirror the original intent design with matching windows.

M. Penzenik moved that the Pleasant Street Historic District Commission having fully reviewed the revised application before it, finds that the project under consideration, if constructed according to the plans (as presented on July 22, 2004) as modified below, will be in harmony and not incongruous with the historical and architectural values of the district. The specific modifications include 1) front view (Pleasant St elevation) of revised proposal shall have no window on garage and 2) the new addition windows shown on the rear elevations must be changed to be consistent in style and design with existing Deck House curtain windows on that façade. The new windows must be approved by the monitor prior to installation. A. Alberg seconded motion. All voted in favor.

Applicant's architect asked for clarification on slider door (part of window wall). The applicant was informed to discuss details with monitor prior to installation make sure it is acceptable. M. Penzenik is appointed monitor on project

Recess from 8:55pm to 9:00pm

**9:00 Formal Hearing re 56 Jason Street (Tanner)  
Application for replacement of six windows.**

Meeting called to order. Mark Tanner was present representing his mother who owns 56 Jason Street. The owner wanted to install 6 replacement windows in the kitchen to replace drafty single pane windows that provided poor sound mitigation. Applicant stated that he was not aware of the requirement to pull a permit for the windows and had contracted for vinyl replacement windows, 4 of which had been installed before S. Makowka observed the situation and requested that the work be stopped pending a formal application.

Applicant stated that there are 2 windows in rear, 2 on side, and 2 on Jason street side can be seen. Applicant further stated that under the current situation, the vinyl replacement windows have already been bought and paid for and his mother was on a limited income, and the 4 windows that had been removed were beaten up and broken during the removal process. Applicant argued that just too costly for mother on fixed income to eat 6 replacement windows and hire carpenter to install 6 wooden windows. S. Makowka reminded him that the owner had filed an application for work on the front porch of this property within the past year, so he should have been aware of the process for obtaining a permit. Mr. Tanner reiterated that he didn't know that replacement windows needed permit and that his contractor never said anything. S. Makowka said that he appreciates expense of making changes now, but that it would be unfair to others, who do file timely applications, to use different criteria for approval in this case. S. Makowka explained that when there is uncertificated work, the Commissions look at an after-the-fact application as if it had occurred prior to the work being done. Also, applicant was informed that the bylaw does provide for a "certificate of hardship" under which certain changes can be approved if the applicant can sufficiently document an appropriate hardship. Among other criteria, such a hardship must be unique to this property and must not substantially undermine the purpose of the District. Also, it was emphasized that such certificates are not automatically approved; this is just an option that the applicant can explore.

The property is on corner and all facades are visible from the street. Not prominent, but visible – Mr. Tanner said trees block view from Jason street, S. Makowka clarified that all the windows were visible from the street and stated that the Commissions policy is to disregard vegetation since vegetation is generally not subject to review and thus can be removed at any time. B. Cohen questioned whether there were already replacement windows on the house? Applicant replied that there were some done many, many years ago predating the establishment of the district. A. Alberg explained not necessarily a matter of having to replace like-with-like, single glazed window with storm especially where other replacements already exist. The Commission does allow for simulated, divided light wood windows, as seen in other hearings, in certain cases. Applicant explained that there were many different variations exist on house including windows 4 over 2, some full pane, some 2 over 2, ones in rear were full over full, second floor on Jason side, some 2 over 2, next room full over full pane. S. Makowka acknowledged variation but said that on a going forward basis Commissions goal was to retain the original features of the house so that owners have the opportunity to later to bring house back to original. S. Makowka said in particular he felt that the two 4 over 2 windows on front side facing Jason Street need to be maintained.

Mr. Tanner said that he was more than willing to put wood windows on Jason street side if he could keep the existing 4 installed vinyl windows on the other two facades. Mr. Tanner stated he didn't realize the requirements of changing 6 windows, and underestimated how important the windows were on house especially when they are behind storm windows. In response to a comment, Mr. Tanner stated that the installed windows were custom-made and cannot be used elsewhere. L. Kuhn said this isn't 1<sup>st</sup> instance where this has happened. In the past an owner on Avon Place did same thing and he had to take out and replace his windows. Given the Commission role in maintaining the character of houses in the District, it has never approved vinyl windows on any application. Doing so here would set a dangerous precedent for future applications and in any case, it would be difficult to rule as a body that the addition of vinyl windows would not be incongruous to character of building.

S. Makowka summarized the Commissioners comments to indicate that the vinyl windows can't be approved. Given this application a Certificate of Appropriateness is simply not appropriate and is not likely to be approved. Maybe homeowner can submit certificate for hardship but there is no guarantee. Upon further discussion, Mr. Tanner suggested the possibility of installing wood replacement sashes with track system for all six windows. The Commission indicated that this approach could be acceptable provided that the windows were all wood with permanently affixed exterior muntins that exactly mimicked the original windows at each location. Mr. Tanner agreed to modify application as follows: replace six windows with wood sash replacement windows that match existing windows including 4 over 2 muntin pattern on the two windows facing Jason street. Y. Logan moved that the Pleasant Street Historic District Commission having fully reviewed the revised application before it, finds that the project under consideration, if constructed according to the plans as modified below, will be in harmony and not incongruous with the historical and architectural values of the district. The specific modifications include 1) the existing muntin patterns are to be replicated with matching simulated divided lights (4 over 2 for two windows on Jason St elevation), and 2) windows must be reviewed with and approved by monitor prior to purchase and installation. A. Alberg seconded the motioned. All voted in favor.

L. Kuhn appointed monitor for 56 Jason Street

**9:25pm – Formal hearing of 156 Pleasant Street (Seitz)**

Ms. Seitz presented her plans to remove the existing damaged wood garage in backyard and replace with flat roofed garage adjacent and toward rear of house.

M. Penzenik asked for details for making a flat roofed garage with railing. Applicant described detail and provided further details about the types of doors and windows to be used (as fully documented in submitted plans and materials lists). On side of house, only changes are replacing 2 basement windows (wood with wood, like with like) and on what used to be porch many years ago, proposed to replace existing vinyl and aluminum jalousie windows with windows to match others on first floor.

On rear, at high flat roof, roof to be repaired around chimney and to another deck installed off side of house with dormer behind chimney (not visible from street). Applicant stated that she has shown the plans to as many neighbors as possible and they seem happy. The commission noted receipt of two letters of support from neighboring properties.

Applicant also described desire to alter front stoop to allow for flat landing outside front entranceway.

M. Penzenik questioned the design of the balustrade on garage. L. Kuhn asked about the proposed changes to the front steps.

Applicant stated that they are being pulled out a couple of feet, either proposing stone or granite, since there is currently no landing where the front door comes out onto steps from vestibule. – daughter has fallen on steps before – wants to make safer – B. Cohen said Commission wouldn't require railing since none exists now, but bldg inspector may make a separate requirement.

M. Penzenik stated she feels it is inappropriate to have wood balusters on garage; a parapet would seem to be more in keeping with the style of the house. Applicant responded that she was trying to make less volume with historic rail and that her preference was not for a modern look. M. Penzenik suggested that she consider other porches that originally had stucco parapet designs. L. Kuhn asked about applicant's plans to use roof. Applicant responded she doesn't like looking at rubber roof so wants to make it a deck but needs rails to make it safe. M. Penzenik suggested stucco piers built up at corners with wood rail infills. Applicant felt that was possible, though her goal was to bring detail into project not just all stucco and the proposed changes would eliminate no wood eave detail present on current garage.

S. Makowka stated that his preference is to stay with the wood balustrade as presented so that the horizontal eave detail is preserved, and also, he feels that the wood railing is not incongruous with this house. S. Makowka asked if the Commissioners had any other comments or questions about any other features on the house. M. Penzenik commented that unfortunately with stucco, it could be hard to match existing finish. Applicant stated that she had contracted with specialist that could duplicate old style finish, not more modern spray on look.

B. Cohen moved that the Pleasant Street Historic District Commission having fully reviewed the application before it, finds that the project under consideration, if constructed according to the plans as modified below, will be in harmony and not incongruous with the historical and architectural values of the district. The specific modifications include: 1) applicant shall have to option to vary railing detail on garage roof after consultation with and approval of monitor, and 2) expansion of front stoop using same materials and design to create exterior landing at front door. M. Hope Berkowitz seconded the motion. With M. Penzanik opposed and all others in favor, the motion was approved 6-1.

B. Cohen appointed monitor.

S. Makowka motioned to adjourn meeting at 10:00pm, seconded by A. Alberg – all voted in favor.